

<i>SUBJECT:</i> EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION Client Complaints of Discrimination	<i>Chapter:</i> 3
	<i>Section:</i> 3.4
<i>REFERENCES:</i> Admin Manual Policy 3.1 and 3.2	<i>Page:</i> 1 of 2
	<i>Issued:</i> 8-28-01

CLIENT COMPLAINTS OF DISCRIMINATION

I. PURPOSE:

To set forth procedures to respond to complaints of discrimination by clients.

II. SCOPE:

Departmentwide

III. POLICY:

All client complaints of discrimination in departmentally funded programs must be forwarded to the Office of Personnel (OP) immediately upon receipt. Department employees involved with such complaints will assist OP in its investigation in whatever manner requested.

IV. COMPLAINT OF DISCRIMINATION DEFINED

For the purpose of this policy, a complaint of discrimination is defined as a verbal or written allegation by a client or potential client that he/she has been unlawfully denied or excluded from participation in benefits or services, or has otherwise been subjected to disparate treatment in the delivery of benefits or services, on the grounds of race, color, national origin, age, sex, disability, or religious beliefs.

V. PROCEDURE FOR RECORDING COMPLAINTS

All complaints of discrimination filed by any client or potential client must be immediately forwarded to Office of Personnel.

An employee who receives a verbal complaint from an individual (e.g., over the telephone) must immediately complete a "Charge of Discrimination" form (PF-41 See policy 3.2). All information contained in the form must be obtained from the individual. **The employee**

ADMINISTRATIVE MANUAL

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who receives and records the complaint must immediately forward the form to OP.
The form must be signed and dated by the employee.

NOTE: Consistent processing of discrimination complaints, which must be filed within 180 days of the incident, is important for compliance with federal regulations and to avoid possible federal sanctions due to mishandling of cases. Therefore, the above instructions must be followed, without exception, whenever a complaint of discrimination has been received in the Department.

INVESTIGATION PROCEDURE

In compliance with federal regulations, the Office of Personnel will investigate complaints of discrimination and will provide the complainant with a determination within 30 calendar days following completion of the complaint investigation. Copies of the determination will also be provided to the appropriate division director.

If the determination is made that discrimination has occurred, corrective action will be taken. Regardless of the determination, the complainant will be notified of their right to file a complaint with the appropriate federal agency.

EXCEPTION: In compliance with federal laws and regulations, all complaints alleging age discrimination will be promptly forwarded by the Office of Personnel to the appropriate federal regional office for referral to the Federal Mediation and Conciliation Service (FMCS).

Prepared by:

Approved by:

Chief, Office of Personnel

Director, Department of Health and
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